

Calendar No. 1901

82D CONGRESS
2d Session

SENATE

REPORT
No. 1957

JEANNE MARIE MIURA

JUNE 27, 1952.—Ordered to be printed

Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 6446]

The Committee on the Judiciary, to which was referred the bill (H. R. 6446) for the relief of Jeanne Marie Miura, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to waive the racial barrier to admission into the United States in behalf of the Japanese stepdaughter of a United States citizen serviceman. The child would be considered to be a nonquota immigrant, which is the status normally enjoyed by the alien minor children of citizens of the United States.

STATEMENT OF FACTS

The beneficiary of the bill is the 3-year-old Japanese stepdaughter of a United States citizen serviceman who was married to the child's mother in Japan on August 11, 1951. The mother is eligible to enter the United States under the provisions of Public Law 6 of the Eighty-second Congress.

Congressman Daniel J. Flood, the author of the bill, submitted to the Committee on the Judiciary of the House of Representatives the following information in connection with the bill:

DEPARTMENT OF STATE,
Washington, October 10, 1951.

The Honorable DANIEL J. FLOOD,
House of Representatives.

MY DEAR MR. FLOOD: I refer to your communication of September 12, 1951, transmitting the enclosed letter from Mrs. Helen Magarowicz, Nicely Street, Box 354, Mocanaqua, Pa., concerning the desire of her son to bring his step-

daughter to the United States from Japan. Reference is also made to my interim acknowledgment of September 14.

It is inferred from the correspondence that this child is a member of the Japanese race. You may wish to explain to Mrs. Magarowicz that under the immigration laws and regulations, aliens desiring to enter the United States must be in possession of appropriate visas issued by American consular officers abroad. In order to qualify for visas for admission into the United States the applicants must be found eligible therefor in all respects under the laws and regulations. Section 303 of the Nationality Act of 1940, as amended, provides that the right to become a naturalized citizen of the United States is extended only to white persons, persons of African nativity or descent, descendants of races indigenous to the Western Hemisphere or adjacent islands, Chinese persons, or persons of Filipino descent, and persons of races indigenous to India, and Guamanian persons and persons of Guamanian descent. Persons of the Japanese race have been held to be ineligible to citizenship under the provisions of the act mentioned.

Section 13 (c) of the Immigration Act of 1924, as amended, excludes from admission into the United States persons who are ineligible to American citizenship unless their cases fall within one of the exempted categories enumerated therein. Briefly, these relate to nonquota aliens who have previously been admitted into the United States for permanent residence, and are returning to this country after a temporary absence abroad; nonquota ministers of religion and professors of educational institutions and their wives and unmarried children under 18 years of age; nonquota students who are coming to the United States to pursue a course of study and persons who are not immigrants as defined in section 3 of the act of 1924.

From the information furnished with respect to this child, none of the exempted categories stipulated under the law appear to be applicable to her case, nor would she come within an exempted category by reason of her relationship as step-daughter to an American citizen. Consequently, if this child is predominantly of a race ineligible to citizenship of the United States she may not be admitted into this country as an immigrant under the existing law. Any change in the law or special legislation which may be enacted on her behalf, of course, are matters which come within the legislative processes of the Congress.

As you may know, several bills have been introduced in the Eighty-second Congress designed to remove the racial bar to naturalization and to provide immigration quotas for Asian and Pacific peoples. If such legislation is enacted into law all American consular officers abroad will be notified.

With best wishes and kindest regards, I am,

Sincerely yours,

H. J. L'HEUREUX,
Chief, Visa Division.

ONE HUNDRED AND NINETY-SECOND FINANCE DISBURSING SECTION,
APO 3, c/o PM, San Francisco, Calif., September 20, 1951.

HON. DANIEL J. FLOOD,
Old House Office Building, Washington, D. C.

DEAR MR. FLOOD: Inquiries at several sources reveal, that in my situation, you are the only individual that can be of any assistance to me. I do believe that my problem has been brought to your attention some time in the past.

I have been married to my wife (Japanese) for 2 months and I have petitioned the United States Government for a visa in her behalf. In doing so, I could not petition for her daughter (my stepdaughter, aged 3 years), on the same form.

Information that I have gathered from the United States consulate in this country makes it quite evident that the only way I can have the child come to the United States, is for me to have a special act passed by Congress admitting her to the United States.

In the very near future, probably before the new year, my wife and I will be on our way to the United States and we would like very much to have the child accompany us.

If there is anything you can do to remedy this situation, it will be greatly appreciated by all of us concerned. If any information be required, we shall be happy to furnish it for you.

Thank you.

Sincerely yours,

STANLEY J. MAGAROWICZ,
Sergeant RA13162348.

STATEMENT

I, Stanley J. Magarowicz, Nicely Street, Mocanaqua, Pa., do hereby state that the facts stated below are true in every origin:

1. Natural parents: Aiko Miura, Hibarigaoka, Iriya, Zama Machi, Koza District, Kanagawa Prefecture, Japan, and Lawrence J. Zollar, Greenville, S. Dak., agreed to a common-law marriage which commenced in June 1946 and ceased to exist in April 1948. The child, Jeanne Marie, was born on the 26th of June 1948, thereby taking the surname of Miura. Her birth is registered in the family register of Seisko Miura, Hibarigaoka Iriya, Zama Machi, Koza District, Kanagawa Prefecture, Japan, under the name of Lorelei Miura. The child was baptized in accordance with Catholic rites and thereby taking the name of Jeanne Marie.

2. Relationship: The child's relationship to me commenced the day I married her mother on the 11th of August 1951, at the post chapel, Camp Hakata, APO 45, c/o PM, San Francisco, Calif. Her relationship to me is stepdaughter. The child is presently being cared for by the grandparents, Mr. and Mrs. Seisko Miura, Hibarigaoka Iriya, Zama Machi, Koza District, Kanagawa Prefecture, Japan.

STANLEY J. MAGAROWICZ.

NICELY STREET, MOCANAQUA, PA.

Sworn and subscribed to this 18th day of February 1952.

M. B. CURWOOD,
Justice of the Peace.

My commission expires January 1, 1954.

OFFICE OF THE CHAPLAIN, HEADQUARTERS, SEVENTH INFANTRY DIVISION,
APO 7, SAN FRANCISCO, CALIF.

IN JAPAN, August 26, 1950.

To Whom It May Concern:

(Attention United States consulate, Yokahama, Japan.)

1. The case of Miss Aiko Miura of Hibarigaoka, Iriya, Zama-Machi, Koza District, Kanagawa Prefecture, Japan, has been brought to my attention regarding a recommendation from a moral and ethical and personal viewpoint.

2. I know Miss Miura. She is a splendid girl, employed presently at the post exchange clerical office in Camp Zama, in Japan. She was formerly with the I. and E. Section, and in a few days will return there to resume her work. Prior to that she was employed first in 1946 by the American Red Cross, in Yokohama for the Eleventh Corps. They were inactivated, and she sought new work with the Three Hundred and Fourth Signal Battalion in Yokohama as clerk-typist. This was in 1947. She worked for 2 years, honorably, until they too were inactivated and returned to the zone of interior. She came to Camp Zama in 1949 with the IE Section of the Fourth Replacement Depot, and continued with this, even while the First Cavalry Division occupied Camp Zama. She is presently working, as stated above.

3. Miss Miura is of excellent character. I checked her former employers, as well as I could, in research, and found that she was desirable and wanted by many agencies for work. She speaks excellent English, is clean, neat, replete with fine personality, very affable, and yet reserved enough in religious and ethical ideals as not to be classed as common and ordinary. Her present employer at the P. D., Captain Lorenzo, spoke very highly of her efficiency, devotion to duty, and her outstanding ability as a clerk, typist, and office manager. She is regarded as wholesome, efficient, kind, and attractive. I found her to be of high ideals, extremely competent in her duties, and very loyal to Americans.

4. I hasten to recommend her to any new employer, and should she desire to become a citizen of America, she will be an asset in the finest and highest traditions of our great United States.

MAURICE E. POWERS
Chaplain, Major, United States Army.

Chaplains A. Tracy, Kapuin, Curran, and Murphy all engaged in the Korean conflict except Chaplain Murphy, have left the finest recommendations regarding, her. I concur.

M. E. P.

1389 CONGRESS STREET SE.
Washington 20, D. C., March 1, 1952.

To Whom It May Concern:

It is with great pleasure I take this opportunity to expound upon the fine character of Sgt. Stanley J. Magarowicz.

I have known Sergeant Magarowicz for approximately 2 years. During that period, he was chief cashier of the finance office in which my official position was that of deputy. The relationship between a chief cashier and deputy is one that requires the utmost of trust, confidence, understanding, and cooperation. These qualities plus many other fine traits are found in abundance in the person of Sergeant Magarowicz.

In closing, may I add that I will be very happy to be of any further assistance in accomplishing the passage of H. R. bill 6446.

G. A. TAYLOR,
First Lieutenant, Finance Corps

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 6446) should be enacted.